

Second chances:

a report on employing offenders in Canterbury

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Executive summary

Those who have offending histories face significant barriers to employment.

- Prison was found to have an extremely limiting effect on employability, with 16.8% (n=35) of respondents saying that they would not hire a former prisoner, 29.2% (n=61) reporting that they would be much less likely to hire, and only 17.2% (n=36) reporting that they would treat them the same as other applicants.
- Non-custodial sentences were found to have a similar, but lesser effect. Those who had been given only a sentence such as community service were much more likely to be treated equally, with 45.5% reporting that they would be treated the same as a normal applicant.
- Different types of offending were found to have significantly different impacts on employability. Driving and minor drug offenses had only a limited effect on employability, while violence and dishonesty considerably inhibited employment. Sexual offending and violence resulting in a death were found to make employment almost impossible, with only a small minority saying that they would consider hiring an offender who had committed those crimes.
- Only 65.6% (n=139) of employers said that they would consider hiring an offender, indicating that the range of jobs available for offenders is significantly restricted.
- Half of businesses check criminal records during the hiring process, and those who check criminal records were less likely to consider employing an offender, with 58.7% (n=64) of employers who check criminal records reporting that they would consider hiring an offender in the future, compared with 71.4% (n=74) of those who do not check criminal records.

These barriers to employment were not proportionate to job performance.

- Those with offending histories were generally found to be satisfactory employees, with employers who had hired an offender rating offenders' job performance as being only slightly less than an average non-offending employee.
- Employers were found to be most concerned about managing risk to business, staff, and customers when making hiring decisions, and were concerned that the time and resources required to train a new employee might be wasted when hiring someone with an offending history.

The support options that were the most valuable were those that helped employers to be confident that hiring someone with an offending history was a worthwhile investment.

- The support options that employers were most interested in were those which would help them to be sure that an offender was ready for work, had work skills, and had support in place to ensure that they would not return to offending.
- Significantly, these were preferred over options which offered simple financial assistance (such as wage subsidy, a free work period, and cost reimbursement), indicating that the cost of wages is not always a primary concern when making hiring decisions.

Research Design

A review of the literature on employer attitudes towards employing those with an offending history identified a number of factors that had an important impact on the approach and design of this research. Firstly, research that attempted to meet the aims of this study had been done in the US, UK and Australia but there did not appear to be anything similar for the NZ context. Secondly, most studies used pool of employers that was broader in scope than the group likely to be targeted by people with a recent history of offending, meaning that although their results were more applicable to the labour market as a whole, they do not tend to be useful in practice.

In order to deliver results that accurately reflected the experiences of actual offenders seeking employment, the sampling design sought to sample only from those industries likely to have positions that matched the general skills and capabilities of those who have offended, and are not restricted by regulation from hiring those who have offended. Industries selected included agriculture, forestry, fishing and mining; manufacturing; electricity, gas, water and waste services; civil construction and maintenance; and transport and logistics. A database of all of the employers within these fields in Christchurch was obtained from the employment database provider Martins.

Invitations were sent to potential participants first by post and then by email. A reminder email was sent to those who had not completed a survey after one week. The letters sent included a link to a survey online, and a unique ID code that was attached to each business that allowed us to match each response to their field.

A total of 956 invitations were sent out, and 237 responses were collected, giving us a response rate of 24.79%.

The literature review was also the basis for the survey questionnaire. Four key areas were identified:

1. Employer beliefs about offenders and offending and the likelihood of employing applicants who have offended
2. Employers' experiences with ex-offenders as employees and their work performance
3. The recruitment process used by the employers and the criteria that guided hiring decisions
4. Employers' beliefs about the role of the prison system, the confidence employers have in both the effectiveness of prison in fulfilling that role and the support options available to the employer who chooses to hire someone with a recent history of offending

The aim of the survey was to identify the influences on an employer's recruiting behaviour with respect to applicants with an offending history, whether having an offending history was suggestive of problems with meeting work performance expectations, and what views employers had about the various forms of support on offer to those who employed people with an offending history.

Literature Review

EMPLOYMENT AND DESISTANCE

For many offenders, finding employment is a key step in the process of desistance (Lageson and Uggen, 2013). The benefits associated with employment include increased earnings, a larger pro-social network, increased self-esteem and confidence, and less idle time. However, as the process of desistance is typically gradual and reciprocal (Laub and Sampson, 2001) it is considered difficult to clearly show a causal association between desistance and work, particularly for those ex-offenders under the age of 25 (Lageson and Uggen, 2013).

Nevertheless, a number of studies do show a strong association between work and lower re-incarceration rates. Skardhammer and Telle (2009) reported that Norwegian prisoners released in 2003 were 63% less likely to be re-imprisoned within three years if they attained employment during that time. Their analysis found that some of the association between employment and re-incarceration is associated with characteristics such as employment prior to imprisonment, previous imprisonment and the educational level, but after controlling for those characteristics, the re-imprisonment risk of those with work remained much less than the re-imprisonment risk for those without work. An earlier study by the Home Office in the UK found similar results, reporting a reduction in recidivism rates of between 33% and 50% associated with employment (reported in Ali and Shelupanov, 2010).

Clearly, while employment is not the only factor contributing to desistance, the evidence suggests it is an important factor worthy of support by agencies assisting ex-offenders with desistance.

THE EFFECT OF OFFENDING ON EMPLOYABILITY

An offending record is often reported to have a significant influence on an individual's employability and career options. While some fields are specifically prohibited from hiring offenders, jobs with no legal prohibitions are also anecdotally reported to often check criminal records and penalise those applicants with records of offending. We can clearly see that employment among former offenders is disproportionately poor, but the exact level of influence that this can have on employability can be difficult to separate from other factors because those who offend are also likely to have been less employable even prior to offending (Warner and Schmitt, 2010).

As an example, the Ministry of Social Development (2016) noted that out of a 2010 cohort of 7,700 released prisoners in NZ, 80% received welfare benefits for more than 12 months after leaving prison. However, the significance of that statistic cannot be assessed without knowing the proportion of the same cohort that received benefits in the period leading up to imprisonment. Fortunately, Warner and Schmitt (2010) note there is now a larger body of research where there has been use of appropriate data and techniques to control for this factor, and report that international studies consistently find that time employed and/or the money earned are reduced by imprisonment, as much as 10 – 30% for earnings and 20-30% for time in employment.

There is evidence that this reduced likelihood of getting and sustaining work is associated with discriminatory beliefs by employers. A study of 1,000 UK businesses that had undertaken a recruitment process within

the previous 12 months found that a person with a criminal record would be automatically rejected in 7% of vacancies, strongly disadvantaged in a further 10% of vacancies and would face a variable response (dependent on the nature and pattern of offending) in a further 46% of vacancies, but would still likely face rejection or disadvantage (Metcalf, Anderson and Rolfe 2001). This is supported by the findings of an earlier series of studies by Holzer, Raphael and Stoll (2003) involving in excess of 3000 employers in a number of large metropolitan areas in the US between 1992 and 2001, where it was reported that while over 90% of those surveyed would consider filling their most recent job vacancy with a person receiving welfare, only about 40% would be willing to consider doing so with a person with a criminal record. It seems, therefore, that a large proportion of employers, if supplied with a criminal record, will be negatively disposed towards employing an ex-offender.

It appears that this effect may be further magnified by other biases: in the USA Pager (2003) for example found that not only were those with criminal records half as likely to be called back after a job interview, but that black jobseekers with criminal records were penalised 40% more than white jobseekers with the same records.

Justification for discriminating against ex-offenders

Few studies appear to have grappled with the challenge of establishing whether some prejudicial view is informing the employer's willingness to employ an ex-offender. The questioning by the researcher has tended to assume a job-specific or business-related reason for the unwillingness to accept applications from ex-offenders. In the surveys completed by Holzer, Raphael and Stoll (2003), it was concluded that employers were unwilling to hire ex-offenders for three reasons: legal prohibition for some roles; reduction of risk to the business; and the elimination of potential litigation by other employees. Pager's audit study (2003) established that the existence of a criminal record was the direct cause of an employer's refusal to proceed with applications but was not in a position to ask why the employer made that judgement. Graffam, Shrinkfield and Hardcastle (2008) carried out a study of beliefs about the ability of ex-offenders to secure and maintain employment held by 1,181 employers (596), employment service workers (234), corrections workers (176) and prisoners and offenders (175) from Queensland and Victoria in Australia. They found that people with a criminal background were considered less likely than people with other conditions of disadvantage to secure and maintain employment and that ex-prisoners and ex-offenders were rated less likely to exhibit the key skills and characteristics that underpin employability than the general workforce. However, in each case, there was no examination of the basis upon which the participant was able to make that judgement. There was no examination of the participants' understanding of offending, the causes of offending, the process of desistance or their normative judgements of offending and offenders.

Two studies have attempted to examine those judgements. As well as asking questions that pointed to job-specific reasons for not employing ex-offenders (risk to clients, employees, business assets and the business's reputation), Metcalfe, Anderson and Rolfe (2001) included questions about perceptions of trustworthiness, employee disapproval and whether or not an ex-offender was the "right sort of person". These reasons were rated as either fairly important or very important as reasons not to recruit a person with a criminal offending history for between 54% and 75% of vacancies. Pager and Western (2009) undertook a study in New York, USA, where an environmental audit was paired with a follow-up telephone interview with the employer to examine the reasons for proceeding in the way indicated by the paired audit. For those employers who rejected the application on the grounds that it was from an ex-offender, the reasons given were concern about specific behaviours such as theft, issues of violence and safety, the likelihood

of re-offending and concerns about character flaws reflected by the criminal history such as dishonesty or untrustworthiness and character or reliability. In other words, negative normative judgements about offenders were justifying direct discrimination against ex-offenders and, in the view of Metcalfe, Anderson and Rolfe (2001), highlight how little is known by employers about the prevalence of offending, of the risks of re-offending at work and patterns of desistance.

Studies in which employers have a positive view of ex-offenders underline the impact of this lack of familiarity with the desistance process. Pager and Western's study (2009) identified employers who had employed ex-offenders in the previous year and found that 43% were willing to consider hiring ex-offenders in the future depending on the nature of the offending yet 85% reported the work performance of the employee in question to be at or above average. The experience with ex-offender employees appeared to reduce anxieties about the group in general and encouraged the employer to be more cognisant of each individual's situation and circumstances. Similarly, a study of employers known to hire people with a criminal record in the USA found that while the employer was motivated by the need to find employees for unattractive work, they also expressed strong views against judging people for their past mistakes and appreciating the life difficulties their employees faced (Bumiller, 2015).

The New Zealand Experience

There are no large-scale studies on the willingness of employers to employ ex-offenders in New Zealand. Alexinas (2008) completed a survey of 45 employers, with findings were similar to the larger surveys outlined above. Both employers who would and would not hire offenders expressed a high level of interest in knowing a job applicant's criminal history. Those opposed to hiring a person with a criminal record were so inclined on the basis of legal regulations and concern about the feelings of the other staff and their clients or customers. Those who were willing to consider someone with a criminal offending history would do so subject to the nature of the offending behaviour and pattern.

That ex-offenders have difficulties getting work in New Zealand is indicated by a longitudinal study of 51 young ex-offenders who successfully desisted (Gilbert & Elley, 2014). At the time of the study (between 5 and 14 years after release), 88% were in either in work or had a history of employment, but 35% reported that having been to prison made getting employment difficult.

THE SAMPLE

The survey attracted a total of 237 responses.

The majority of the businesses surveyed were relatively small with, 73% (n=168) reporting that they employed less than 20 people, and 37.4% (n=86) employing less than five. A small minority were owner-operators with no current employees.

Some 73% of respondents were the owner or managing director of the business, with another 10% being the general manager.

The majority of participants reported that their entry level jobs required only skills that could be learned on the job. Some 66.1% (n=152) of respondents indicating that entry-level jobs at their business required were low or semi-skilled and required techniques and processes the could be learnt on the job. A further 33.9% (n=78) reported that their entry-level jobs required some kind of qualification or training other than health and safety certification.

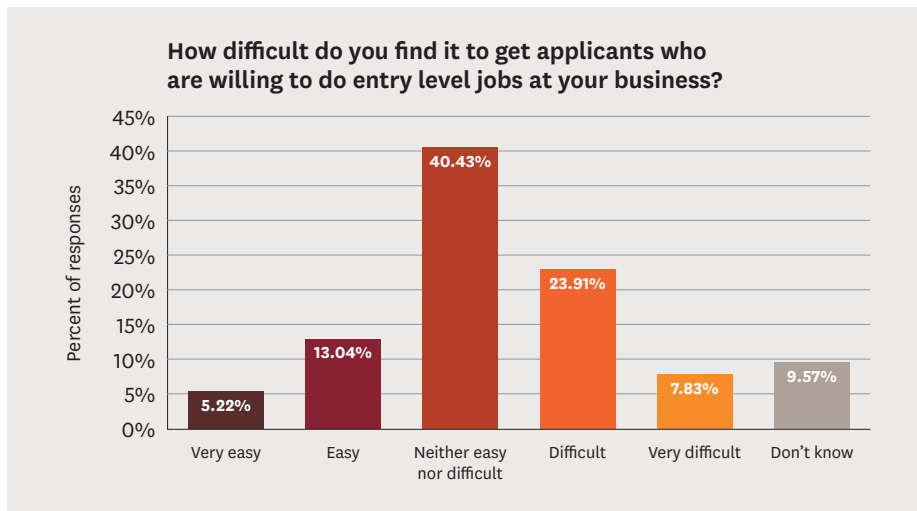


Figure 1: How difficult do you find it to get applicants who are willing to do entry level jobs at your business?

When asked how difficult they found it to find applicants who were willing to take entry-level jobs at their business, respondents indicated that the market for entry-level employees was relatively stable, with 40.4% (n=93) reporting that they found it neither easy nor difficult to find new employees.

Respondents were somewhat more likely to say that they had a difficult time finding applicants however, with 18.3% (n=32) reporting that they found it easy or very easy, and 30.7% (n=73) reporting that they found it difficult or very difficult. This indicates that the employment market may currently be receptive to hiring offenders and others who generally find employment difficult.

The majority of participants reported little contact with offenders or offending in their personal lives. Only 2.4% (n=5) participants reported (or were willing to report) having been convicted of an offence and sentenced to prison or home detention, but 34 (n=70) percent reported that someone closely associated with them (such as a family member or close friend) had been sentenced to prison or home detention.

Conversely, almost a third reported that they had been the victims of serious offending. Some 28% (n=58) of participants reported that they had been the victim of a crime that they believed could result in a prison sentence.

Results

HIRING OFFENDERS

When asked whether they would consider hiring someone with an offending history in the future, 65.6% (n=139) responded that they would, indicating that the job market for those with histories of offending is severely constricted, and that more than a third of employers may be off-limits. Because this study targets sectors of the market that are known to employ offenders, the proportion of all jobs that offenders cannot access is likely much higher.

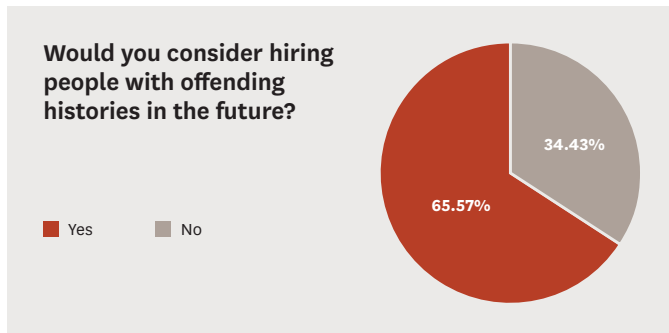


Figure 2: Would you consider hiring people with offending histories in the future?

The key barrier to access to these jobs is the criminal record check. While criminal record checks are intended as a means of ensuring that candidates do not have convictions that might make them unsuitable for the job, in practice they often work as a means of screening out applicants with any form of offending history, regardless of its relevance to the job. This can make gaining employment extremely difficult outside of certain areas.

While some countries do not allow employers to ask for a criminal record check, or only allow checks with a valid reason, there are few barriers to checking criminal records in New Zealand: employers are legally allowed to view any applicant's offending history with the applicant's consent, and criminal record checks are relatively inexpensive, costing between 15 and 70 New Zealand dollars depending on the level of detail required.

New Zealand has 'clean slate' legislation which means an offender who meets a range of criteria can apply to have their criminal record wiped after seven years without new convictions. Anyone who has had their record wiped in this way is entitled to declare that they have not offended in any application. Applicants who have been imprisoned are not eligible for a clean slate however.

As shown in Figure 7, responses were evenly split between businesses that check applicants' criminal records and those that do not, with slightly over half of employers reporting that they check criminal records.

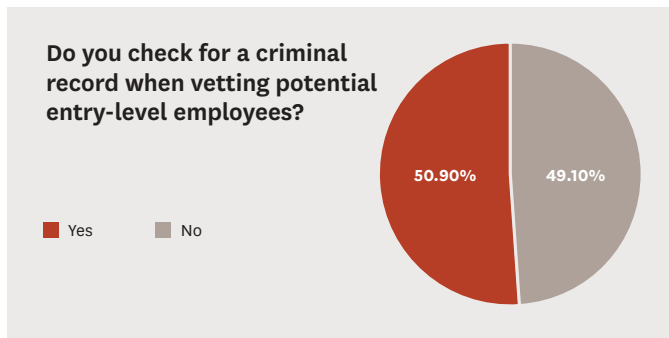


Figure 3: Do you check for a criminal record when vetting potential entry-level employees?

There was no significant difference in criminal record-checking across respondents with different entry-level skill requirements, and checking criminal records made no significant impact on reported ease of finding entry-level employees.

Interestingly, employers who reported checking for criminal records were not significantly more or less likely to report having employed an offender in the past. They were, however, slightly less likely to consider employing an offender in the future, with 58.7% (n=64) of employers who check criminal records reporting that they would consider hiring an offender in the future, compared with 71.4% (n=74) of those who do not check criminal records.

THE IMPACT OF OFFENDING AND SENTENCING TYPES

While many employers express interest in hiring offenders, there are almost always limits to the type and severity of offending that they will consider. In order to determine where these limits lie and what level of impact different types of offending and sentencing types can have on employers' willingness to hire, the survey asked participants to consider hypothetical candidates with a range of offending and sentencing histories.

As shown in Figure 8 below, we first asked employers to consider the impact of sentencing types. Participants were asked to rate the likelihood that they would employ a hypothetical candidate with a variety of sentencing types on a Likert scale from 1 (would not hire) to 4 (as likely as a normal applicant).

The results of this question confirmed that a prison sentence can have an extremely detrimental effect on employability, and also showed that lesser sentences can have a similar but smaller effect.

Applicants who have been to prison were found to be the least likely to be considered for employment, with 16.8% (n=35) of respondents saying that they would not hire a former prisoner, 29.2% (n=61) reporting that they would be much less likely to hire, and only 17.2% (n=36) reporting that they would treat them the same as other applicants.

Home detention was found to have substantially less negative effect on employment than prison, with 11.5% (n=24) of respondents saying that they would not hire a former detainee, 16.35% (n=34) reporting that they would be much less likely to hire, and 28.7% (n=59) reporting that they would treat them the same as other applicants.

Applicants with a non-custodial sentence such as community service were much more likely to be treated equally, with 45.5% reporting that they would be treated the same as a normal applicant.

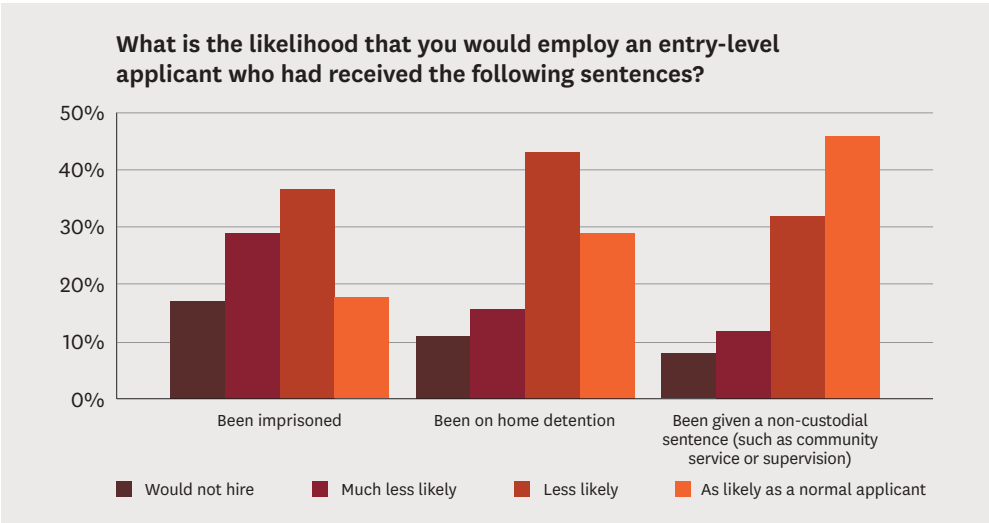


Figure 4: What is the likelihood that you would employ an entry-level applicant who had received the following sentences, assuming that they meet your minimum requirements for that position?

These results highlight the difficulty that even minor convictions can create in finding employment: although offenders who had received non-custodial sentences were much more likely to be considered than other offenders, more than half of employers (n=115) reported that they would be at least somewhat less likely to hire them than another applicant.

Notably, the results from these questions differ somewhat from the results gathered when we asked employers whether they would consider employing an offender in the future (Figure 13). While 34.4% (n=73) of respondents said that they would not consider hiring an offender in the future when given a yes or no question, only 16.8% (n=35) reported that they absolutely would not hire a former prisoner when given a more nuanced range of options. This may indicate that employers can become more willing to consider applicants with offending histories when given a reason to consider their answer in greater depth.

In order to determine the impact of offending types, we asked participants to consider how individual categories of offending might impact employers’ hiring decisions. The results of this question are shown in Figure 9 on the following page. This question used a selection of generalised offence categories that were designed to be clear and easy for participants to understand. As with the previous question, this used a Likert scale from 1 (would not hire) to 4 (as likely as a normal applicant), but the data below are shown using weighted averages in order to fit the results onto a single page. A weighted average of 1 would mean that no participants would hire someone with that offending history, while an average of 4 would mean that all participants would treat them the same as an applicant with no offending history.

All categories of offending were found to negatively influence employability, but the results of this question showed a clear distinction between ‘minor’ and ‘serious’ offending.

Driving offences and minor drug offences were on average only slightly less likely to be employed.

All other forms of offending were found to have a significant effect on employability. Nuisance offending and violence that did not require medical care for the victim each had an average of slightly above 2, meaning that employers were much less likely to hire applicants. Violent and dishonesty offending clustered around an average of 1.6, meaning that applicants with those histories were significantly less likely to be considered. Violence that led to the death of a victim and sexual violence were the greatest inhibitors of employment, with averages around 1.2, meaning that almost no employers would consider them.

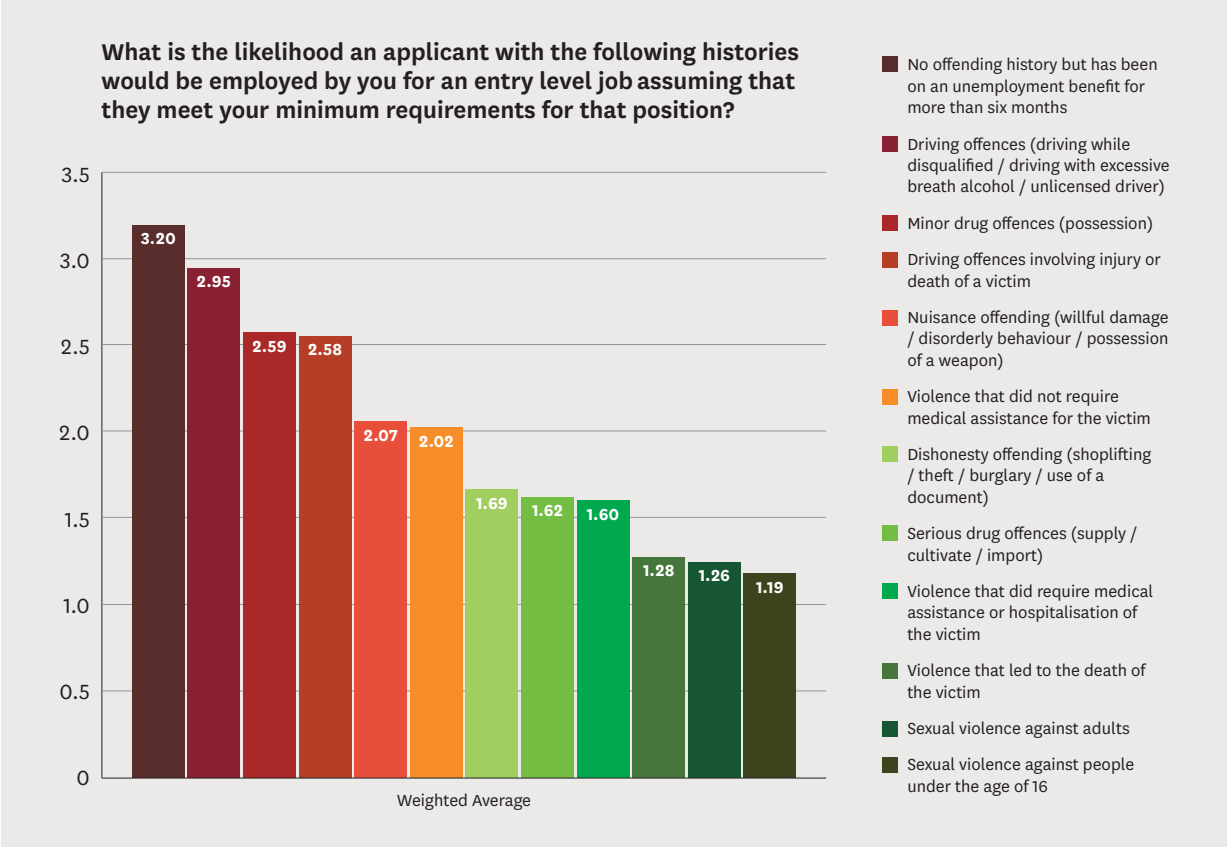


Figure 5: What is the likelihood an applicant with the following histories would be employed by you for an entry level job assuming that they meet your minimum requirements for that position?

This graph uses a weighted average to represent data drawn from a Likert scale ranging from 1 (would not hire) to 4 (as likely to hire as a normal applicant). Criminal histories with shorter bars are those that post the greatest impediment to employment.

EXPERIENCES WITH EMPLOYEES WITH OFFENDING HISTORIES

Exactly half (n=111) of respondents reported that they had knowingly employed an offender at their business.

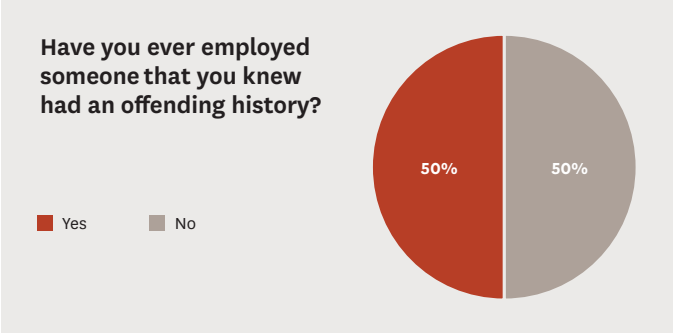


Figure 6: Have you ever employed someone that you knew had an offending history?

Respondents tended to report that they were satisfied with the offenders that they had employed, and that their performance met or exceeded what they expected from similar employees. Some 75% of respondents (n=75) reported that offenders that they had employed performed at the average or better, with 14% (n=14) reporting that they performed better or much better.

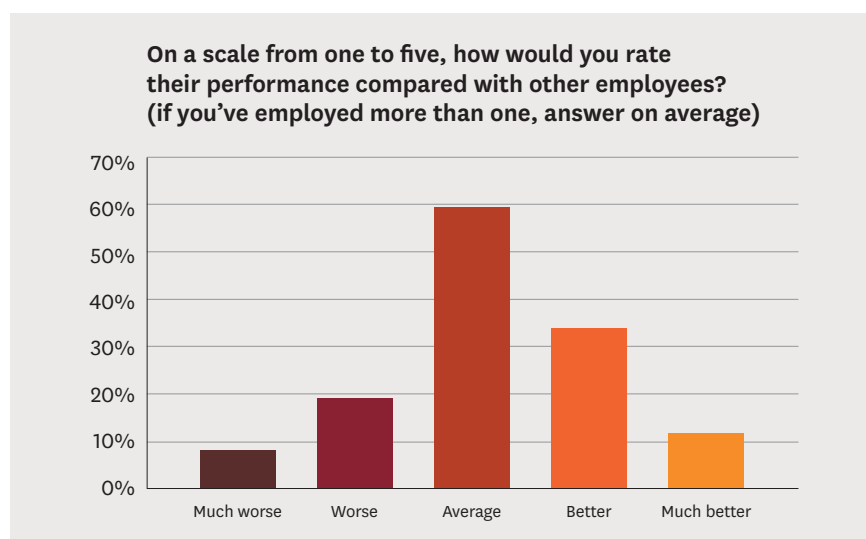


Figure 7: On a scale from one to five, how would you rate their performance compared with other employees?

Although this shows that on average, offenders were slightly more likely to under-perform, this result shows only a very small distinction between offenders and non-offenders. Moreover, as recent policy efforts to focus on work-readiness come to affect more released prisoners, we may expect the performance gap between offenders and non-offenders to diminish further.

When asked about what difficulties they had experienced with employees with offending histories, respondents reported a wide range of issues. As shown in Figure 12 on the following page, the most common problem reported was drug and alcohol issues, which were reported by 38.2% (n=42) of those who had employed offenders. A further 22.7% (n=25) reported that offenders they had employed lacked basic work skills such as reliability or courtesy.

Some 18% (n=20) of employers that had hired an offender reported that that offender had then committed a crime against their business, customers, or employees. Some 11.8% (n=13) of respondents reported that a crime had been committed against the business, such as stealing or vandalism, and 7.3% (n=8) reported that a crime had been committed against their employees or customers.

Overall, 82% (n=91) of respondents who had employed an offender reported an issue of some kind. It should be noted however that because many respondents had hired more than one offender, this is not an accurate representation of how likely it is than any individual offender would present issues.

Many reported issues were not necessarily related to the behaviour of the offender themselves, but rather external factors outside of their control: one quarter of respondents (n=27) reported that working with offenders made their other employees uncomfortable, and 20.9% (n=23) reported that the practical requirements of their parole or rehabilitation cut into their work hours. These may indicate that there are potential avenues for improvement through efforts to raise awareness of the benefit of employing offenders among the general population instead of only employers, and also by working to limit the negative impact of offenders' parole and rehabilitation requirements.

Although the reported incidence of concerns such as alcohol and drug issues and poor work skills among offenders was relatively high, this may be because the incidence of such issues is disproportionately high among workers in the fields that we surveyed, regardless of offending history. For example, a review of risk factors affecting alcohol use among workers in male dominated industries (Roche et al, 2015) reported that non-qualified blue-collar workers, manual workers and low income were associated with problem drinking, and a study of the use of alcohol by 108 Australian construction industry apprentices (Plessis, Corney, Green & Burnside, 2014) found 65% displayed harmful levels of consumption leading to behaviours considered risky and indicative of an anti-social approach to life. Similarly, in a report on the employment prospects of the working poor, Holzer (2009) noted a number of risk factors including poor levels of education, insufficient cognitive and problem resolution abilities, inadequate “soft skills” (including literacy and verbal communication) and lack of occupational training and specific technical experience. This suggests that the risk factors that exist within the ex-offender population are also highly prevalent in non-offending population seeking the same work.

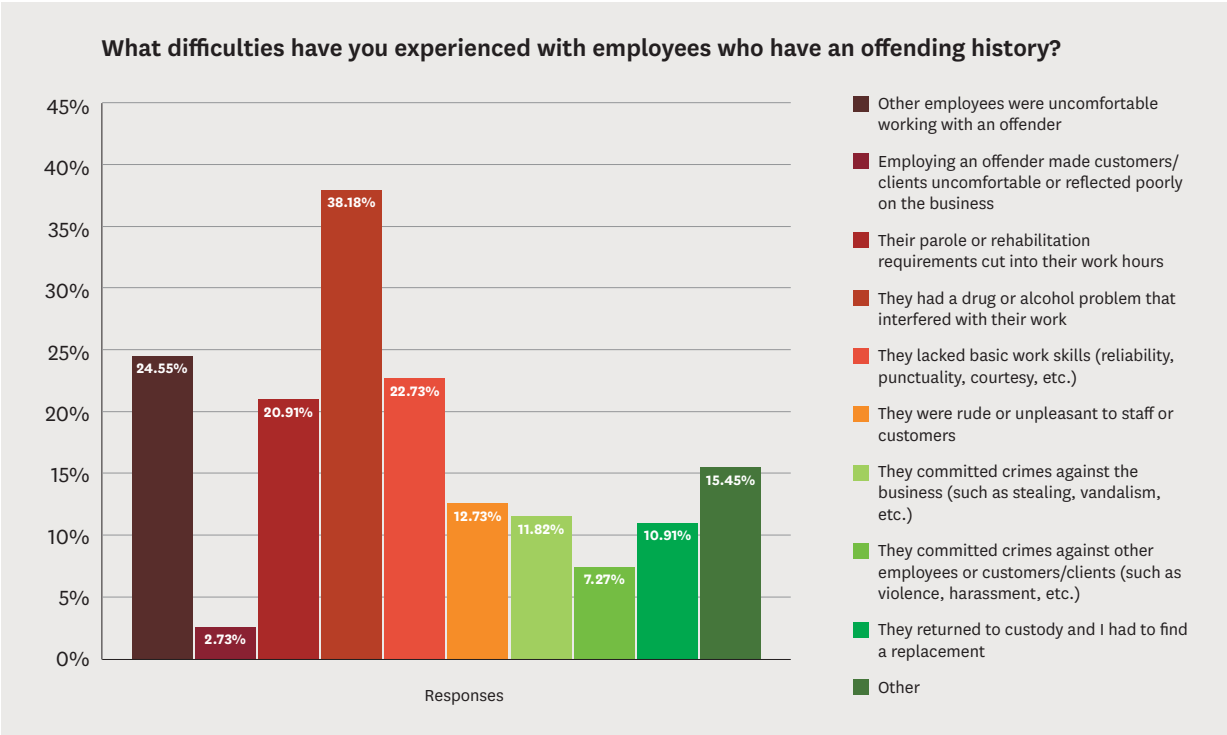


Figure 8: What difficulties have you experienced with employees who have an offending history?
This chart shows the incidence rate of particular difficulties experienced by the 111 respondents who reported that they had hired someone with an offending history at their business.

As shown in Figure 13, employers were more likely to consider hiring a person offending history if they had done so before, with 77.6% (n=73) reporting that they would, compared with 65.6% (n=139) of all participants. A minority of respondents (n=24) reported that they had hired offenders before but would not consider it again, suggesting that they had negative experiences that made them wary of hiring offenders.

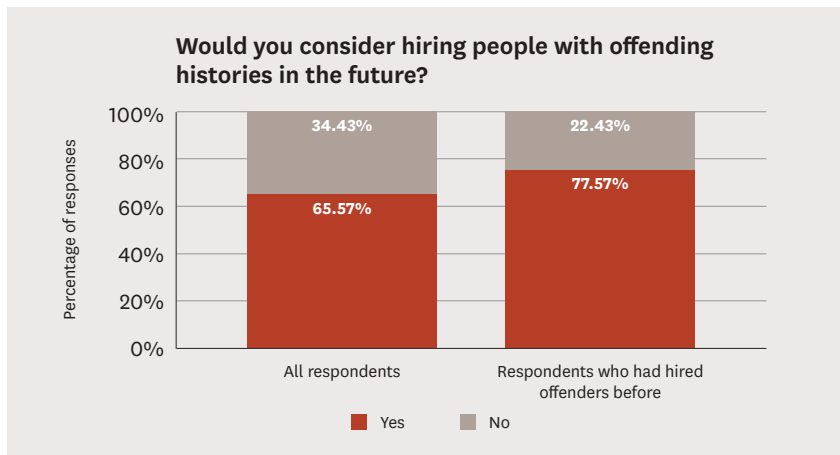


Figure 9: Would you consider hiring people with offending histories in the future?

This graph compares respondents who had hired offenders before with all respondents. The majority of respondents were willing to hire offenders in the future, and those who had hired offenders in the past were considerably more likely to consider hiring an offender again.

PREPARING OFFENDERS FOR WORK

A primary component of preparing prisoners for their release is ensuring that they have the work skills needed to rebuild their lives in a pro-social way. While some prisoners already have the work skills needed to gain and maintain employment after their release, many have little or no work experience, or may lack basic skills needed to hold employment.

There are numerous prison programmes available that aim to prepare prisoners for work, ranging from skills courses, on-site work, or temporary release to attend work outside the wire.

In order to test the perceived effectiveness of these efforts, we asked employers to rate how well the New Zealand prison system prepares its prisoners to re-enter the workforce on a scale from 1 (very poorly) to 5 (very well).

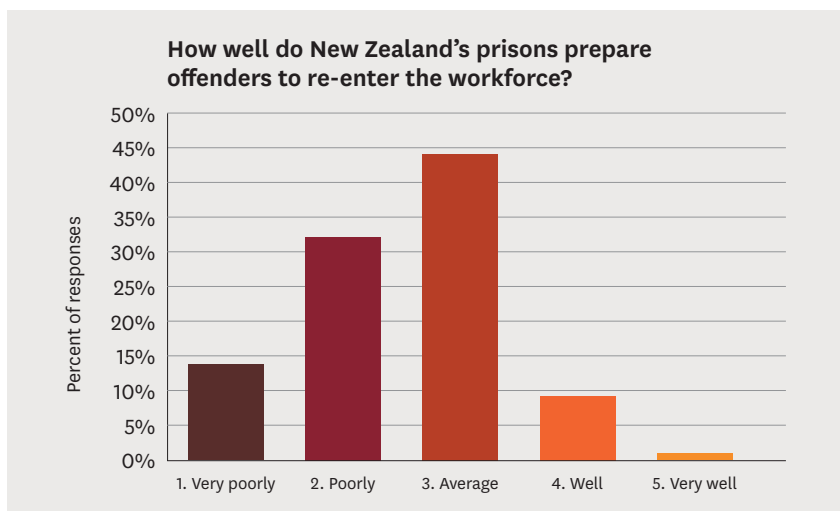


Figure 10: How well do New Zealand's prisons prepare offenders to re-enter the workforce?

As Figure 14 above shows, employers generally reported low levels of satisfaction with how offenders were prepared to re-enter the workforce. Some 45.5% (n=90) of participants reported that offenders were prepared poorly or very poorly, while only 10% (n=20) responded that they were prepared well or very well. The results of this question did not differ significantly between those who had actually employed offenders and those who had not, suggesting that general perception in this area is generally in line with reality.

EMPLOYER BELIEFS

In part, the ease of guiding offenders into employment depends upon employers’ beliefs about the nature of offending and rehabilitation. Programmes designed to demonstrate work readiness, for example, would be of little use to employers who believe that most offending is innate and compulsive.

With this in mind, we asked participants to assess a number of statements about offenders and rehabilitation in order to understand their beliefs. Participants were asked to rate the truth of each statement on a Likert scale from 1 (not true) to 3 (very true).

As shown in Figure 15, the majority of employers acknowledged that offenders can be rehabilitated and reported an understanding that employment is a meaningful component of change.

More than half of employers reported that it was ‘very true’ that offenders can be taught or helped to stop offending, that most of them deserve a second chance, and that employment can help them avoid reoffending, and only a very small minority disagreed with each of these statements completely.

Similarly, when asked to rate more negative ideas, employers were more likely to disagree. More than a quarter of participants reported that it was ‘not true’ that offenders are naturally inclined to commit crimes and that offenders commit crimes because they enjoy it, with less than five percent in each case responding that they were ‘very true.’

In general employers remained wary however, with more than half of participants reporting that it was ‘somewhat true’ that most offenders will offend again.

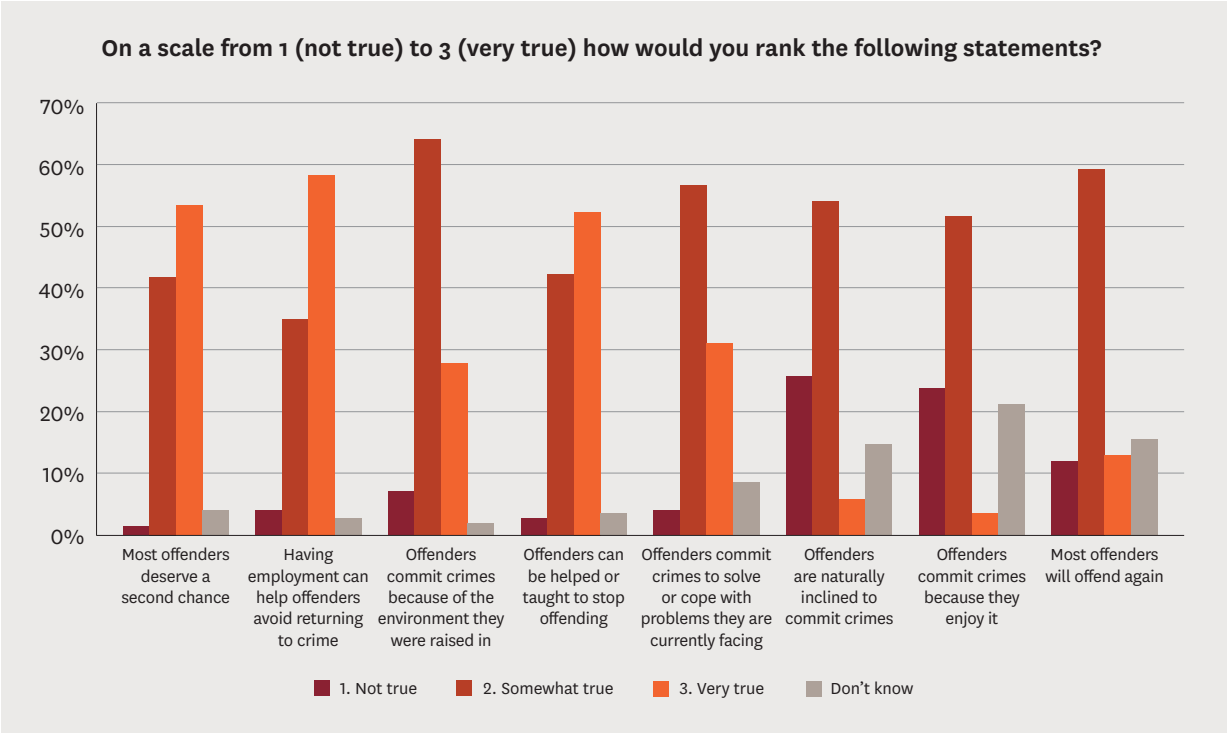


Figure 11: On a scale from 1 (not true) to 3 (very true) how would you rank the following statements?

CONNECTIONS WITH OFFENDERS

Personal experience was found to be a significant influence on an employer’s willingness to employ offenders. Having personal contact with those who have offended, such as friendships and family connections breaks down stereotypes about offenders and allows them to be seen as individuals with complex motivations.

Employers who had existing connections with offenders in their personal lives were found to be considerably more likely to be willing to employ offenders. Some 34.1% (n=70) of participants reported that a close friend or family member of theirs had spent time in prison or been sentenced to home detention (see Figure 5), and as shown in Figure 18, those with close personal associations with offenders were almost twice as likely to have employed offenders in the past. While only 30% (n=21) of those who had associated with offenders had never employed an offender, those who reported no close associations with offenders were almost twice as likely (n=79) not to have employed an offender.

This appears to be a result of familiarisation: because those who know offenders personally may be more likely to understand the circumstances that can lead to offending and may be more likely to see offenders as ordinary people, they may be less likely to see offenders as a potential threat to their business.

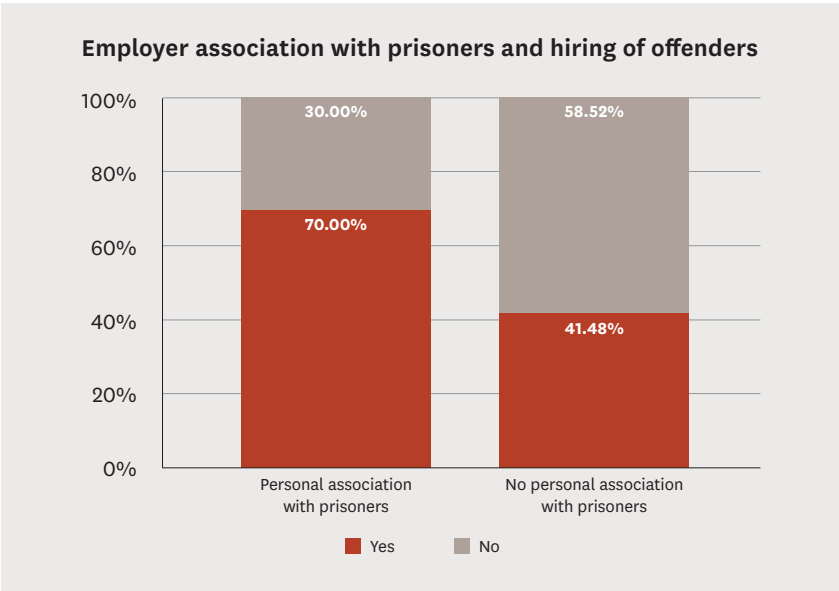


Figure 12: Employer association with prisoners and hiring of offenders

THE PERCEIVED RISK OF HIRING OFFENDERS

Participants were asked what things they considered when deciding whether or not they would be willing to hire someone with a history of offending. The most popular results are shown in Figure 13 below.

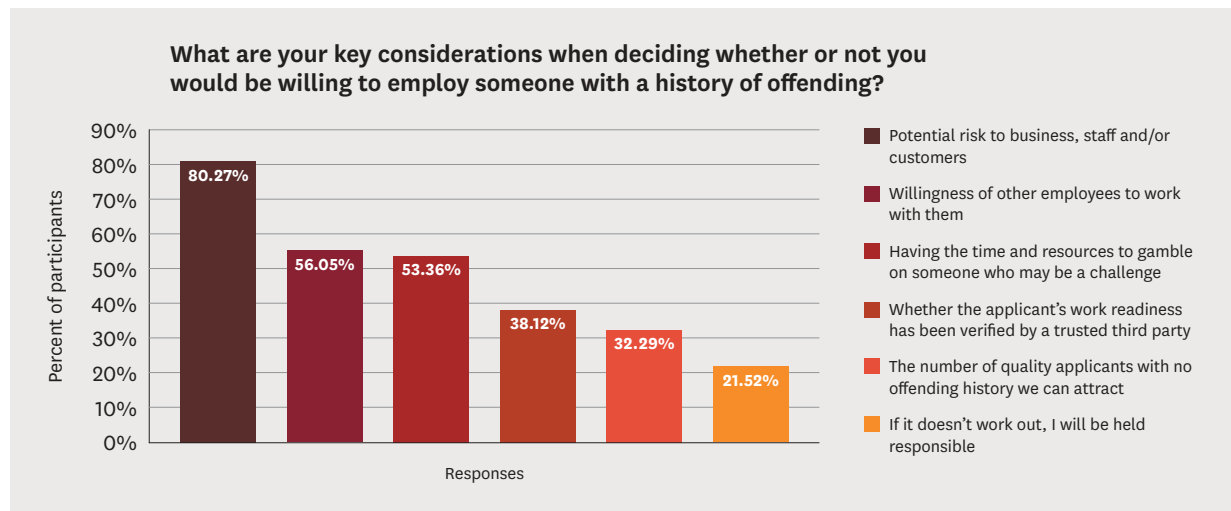


Figure 13: What are your key considerations when deciding whether or not you would be willing to employ someone with a history of offending?

Overwhelmingly, participants reported that they were concerned with risk. The most commonly reported answer was potential risk to business, staff, or customers, which was reported by 80.3% (n=179) of participants. Similarly, slightly over half (n=119) of participants were concerned about gambling the time and resources involved in hiring and training a new person that may be less likely to succeed. Another 38.1% (n=85) reported that whether the applicant's work-readiness had been verified by a trusted third party was a key consideration, and 21.5% (n=48) reported that they were worried about risk to their own position if a new employee failed to work out and they were held responsible.

These results show that the most desirable support options are likely to be those that help employers to manage the perceived risks posed by offenders, such as those that offer verification of work-readiness or ensure that employees remain engaged in employment long enough to be a good return on employers' investment in them.

The perceptions of existing staff were also identified as a key consideration: 56.1% (n=125) of participants reported concern about whether existing staff would be willing to work with an offender. This may indicate that as well as managing risk to the employer, support options that can help to make other staff comfortable with hiring offenders may be of value.

EXTERNAL SUPPORT

Although employers tended to be satisfied with their experiences in employing offenders, it is important to acknowledge that employing people with an offending history does currently involve some risk of inconvenience and extra effort by employers to make that a successful relationship. Expanding the group of employers willing to consider applicants with an offending history requires support measures designed to reduce the perceived level of that risk, particularly for those re-entering the workforce after prison.

In order to test what support options appealed to employers, we offered participants a range of possible support options and asked them to rate them using a Likert scale.

The support options tested were all options that are currently available through either Corrections, the Ministry of Social Development, or their contracted employment service providers.

As shown in Figure 17 below, employers were found to be most interested in options which helped them to be sure that an applicant was trustworthy, ready for work, had work skills, and had support in place to ensure that they would not return to offending.

This is in line with the findings shown in the preceding section, which found that risk to their business and risk of wasting their investment of time and resources in training a new employee were significant concerns for employers (see Figure 16).

Significantly, these options were preferred over options which offered simple financial assistance (wage subsidy, a free work period, and cost reimbursement), indicating that the cost of wages is not always a primary concern when making hiring decisions.

That finding reflects that what is mostly at stake for an employer when taking on a recruit is the potential waste of the employer’s time in not successfully on-boarding the employee and having to look for a replacement.

Interestingly, the responses from those employers who have experienced employing someone with an offending history were not significantly different from those employers with no such experience.

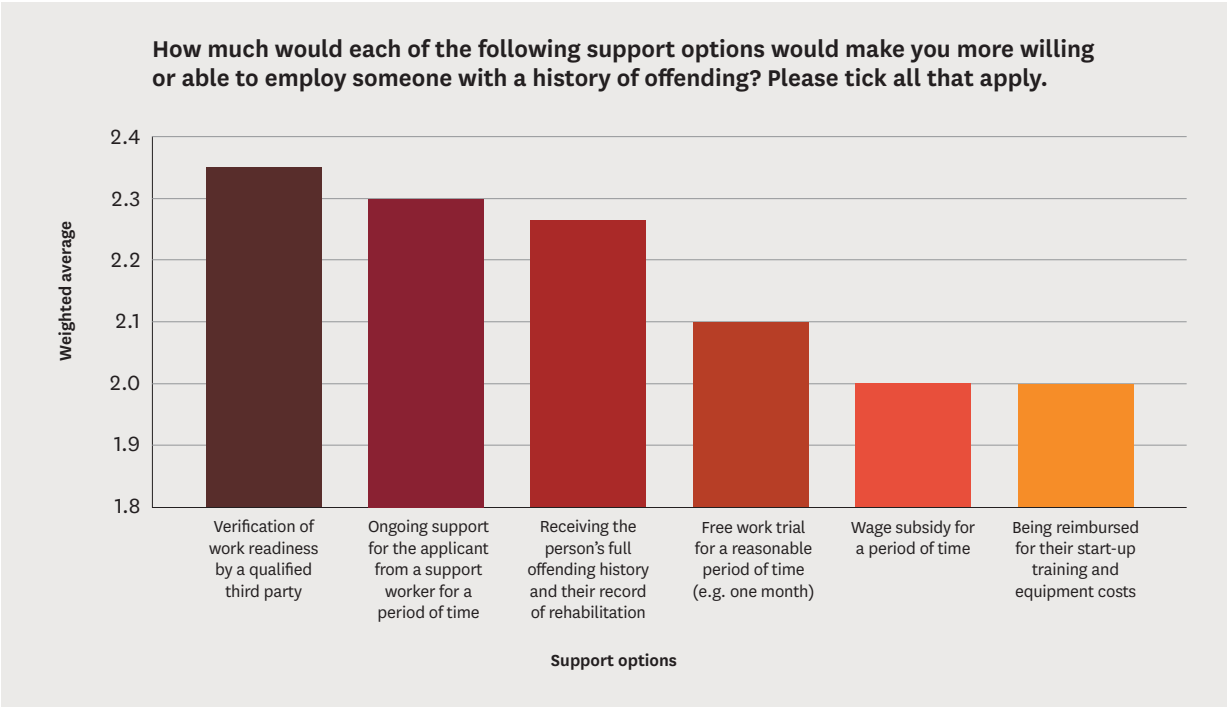


Figure 14: How much would each of the following support options would make you more willing or able to employ someone with a history of offending? Please tick all that apply. This graph uses a weighted average to represent data drawn from a Likert scale ranging from 1 (no impact) to 3 (much more willing). Options with shorter bars are those that were rated as being the least useful to employers.

Discussion

The impacts of an offending history are obvious and perhaps predictable, but they are also unhelpful.

The hurdles offenders face, in particular those with prison records, create roadblocks to gaining employment, and may have the perverse effect of pushing released offenders back to offending.

While we did not examine the effects of time on an employer's reaction to a criminal record (which may be an avenue for future research) we do know there are currently no ways for prison sentences to be removed from a criminal record.

Offences resulting in a prison sentence are not eligible for a 'clean slate' under New Zealand law, meaning even a minor prison sentence can limit a person's employment prospects for the rest of their life. Increasing the range of offences captured by the clean slate provisions may be a way to reduce this impact and allow reformed offenders greater access to the workforce, thereby enhancing and bringing forward chances for reform.

Not all avenues to increase the chances of offender employment are legislative, however.

The results of this study showed clearly that when making hiring decisions, employers were most concerned with mitigating risk. Given that, mitigating these risks – or even the perception of these risks – would be of significant value.

Practical measures are where the greatest gains can be made here. Employers need to be made aware of the rehabilitation record of an offender (where one exists) and offenders need to be made as work ready as possible and have some kind of short-term support to assist with the transition into work; a form of go-between between employee and employer.

These measures are likely to require significant cooperation between state agencies, NGOs and the business community.

Further to this, success stories need to be promoted. Initiatives to bring employers into greater contact with offenders or to bring the two groups together in the community could help bridge gaps and break down stereotypes around employing offenders.